

Chairperson John R. Clark
Vice-Chairperson Michael Parks
Parliamentarian Don Maxwell



Commissioners
Michael Beckendorf
John Bond
Helen Chavarria
Ralph Davila
Robert Horton
G.H. Jones

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, SEPTEMBER 18, 2008
AT 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER.

Chairperson Clark called the regular meeting to order at 6:10 p.m.

Commissioners	Present	2008 Regular Meetings Held	2008 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Michael Beckendorf	Yes	18	14	12	10
Johnny Bond	Yes	18	18	12	12
Helen Chavarria	Yes	18	15	12	10
John R. Clark	Yes	18	17	12	11
Ralph Davila	Yes	18	16	12	10
Robert Horton	Yes	18	15	12	12
G. H. Jones	Yes	18	17	12	11
Don Maxwell	Yes	18	13	12	10
Michael Parks	Yes	18	14	12	9

Staff members present: Mr. Martin Zimmermann, Planning Administrator; Ms. Julie Fulgham, Project Planner; Mr. Michael Gary, Assistant City Attorney; Mr. Joe Seago, Jr., Assistant City Engineer and Ms. Kelli Hill, Planning Intern.

2. HEAR CITIZENS.

No one came forward.

3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

Mr. Gary advised that Chairperson Clark had filed an affidavit in response to state law on disclosure of local official's conflict of interest regarding regular agenda item #7 (Conditional Use Permit CU08-09). Chairperson Clark will not participate in deliberation or voting on the Item.

4. CONSENT AGENDA.

A. Approval of meeting minutes from the workshop and regular meetings on September 4, 2008.

B. Final Plat FP08-16: Twin City Mission Subdivision **M. Zimmermann**
A proposed Final Plat of Twin City Mission Subdivision, being 16.288 acres of land out of S.F. Austin League No. 9, A-62 located south of the intersection of S. Randolph Avenue and W. 29th Street in Bryan, Brazos County, Texas.

C. Final Plat FP08-17: Autumn Lake Subdivision – Phases 2B & 3 **M. Zimmermann**
A proposed Final Plat of Autumn Lake Subdivision – Phases 2B & 3, being a total of 12.428 acres of land out of Thomas J. Wooten League, A-59 located generally north of W. Villa Maria Road between Autumn Lake Drive and Chick Lane in Bryan, Brazos County, Texas.

Commissioner Maxwell moved to approve the Consent Agenda and Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

5. Street Closing SC08-05: 600 and 700 blocks of East 26th Street **J. Fulgham**
A request to abandon a 20-foot wide and 563.06-foot long segment of East 26th Street right-of-way located on the north side of East 26th Street between North Preston Avenue and North Pierce Street adjacent to Blocks 62 and 71 of the Bryan Original Townsite in Bryan, Brazos County, Texas.

Chairperson Clark stated for the record that Items #5 and #6 are related to each other, and while they will be voted on separately due to the need for a public hearing for each, there will only be one staff report given for both items.

Ms. Fulgham presented a staff report (on file in the Development Services Department). Staff recommends approving both requests to abandon public right-of-way, as it has been requested with case numbers SC 08-05 and AC 08-03. Staff's positive recommendation is subject to the following conditions:

- that a public utility easement encompassing the entire width and length of the abandoned right-of-way for East 26th Street be reserved to accommodate existing utilities; and
- that the requested abandonment of rights-of-way not be completed (by quitclaim deed) until the City of Bryan has approved a formal replat encompassing all property which the proponent owns and/or will own after abandonment of requested rights-of-way.

Staff believes that abandoning the subject rights-of-way, as requested, allows most of this land to be integrated with adjacent land in the Bryan Original Townsite while relieving the public of its responsibility to maintain these rights-of-way. The recommended rearrangement of land now within these rights-of-way is believed to have the most likely long-range public benefit.

Responding to questions from Commissioner Maxwell, Ms. Fulgham stated that the City could potentially abandon the similar stretch of property on the other side of 26th Street and still meet the minimum right-of-way width of 50 feet for this local street.

The public hearing was opened.

No one came forward

The public hearing was closed.

Commissioner Beckendorf moved to recommend approval of SC08-05 to the Bryan City Council and to adopt the written staff report and analysis and conditions, as the report, findings and evaluation and conditions of this Commission. Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

- 6. Alley Closing AC08-03: Block 62 of Bryan Original Townsite** **J. Fulgham**
A request to abandon a 20-foot wide and 250-foot long alley right-of-way in Block 62 of the Bryan Original Townsite extending east from North Preston Avenue, approximately 115 feet north from its intersection with East 26th Street in Bryan, Brazos County, Texas.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Beckendorf moved to recommend approval of AC08-03 to the Bryan City Council and to adopt the written staff report and analysis and conditions, as the report, findings and evaluation and conditions of this Commission. Commissioner Maxwell seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

- 7. Conditional Use Permit CU08-09: Local Spiritual Assembly of the Baha'is of Bryan J. Fulgham**
A request for approval of a Conditional Use Permit to allow a professional office use on property in a South College – Residential District (SC-R), specifically on property located at 1700 South College Avenue at the southwest corner of South College Avenue and Rebecca Street, occupying Lots 1 thru 3 of the Pipkin Addition in Bryan, Brazos County, Texas.

Vice-Chairperson Parks reminded that Chairperson Clark had filed an affidavit in response to state law on disclosure of local official's conflict of interest regarding this request and will not participate in deliberation or voting on this item.

Ms. Fulgham presented a staff report (on file in the Development Services Department). Staff recommends approval of the request based on the following findings:

1. the proposed use of this site as an office will be in compliance with all applicable standards and regulations, and no variations from existing standards are being requested;
2. an office on the subject property will be compatible with existing or permitted uses on abutting sites, including those which are currently single-family residential use, and a privacy fence and landscaping which exceeds City development standards creates a buffer/screen for any adjacent and nearby residences;
3. staff believes that a professional office at this location is not going to create any more diverse impacts than the existing use of this site as a place of worship;
4. a professional office use at this location should not have any adverse effects on vehicular and pedestrian traffic in this vicinity, and the subject property's current use as a place of worship typically generates more traffic than office uses;
5. any new development on this property will be required to meet City regulations concerning erosion, flood, fire and other hazards and impacts, and the current development on this property is planned to remain as is;
6. a professional office at this location should not have any adverse effects on vehicular and pedestrian traffic in this vicinity;
7. adequate and convenient off-street parking currently exists;
8. staff believes that, in this particular case, use of this property as a professional office conforms to the objectives and the purpose of the SC-R zoning district,;
9. staff believes that the proposed office use will have few (if any) ill effects on properties or improvements in the vicinity; and
10. staff believes that existing improvements on the subject property are suitable for office use.

Responding to questions from Commissioner Davila, Ms. Fulgham stated that if the Conditional Use Permit was approved, it has to be implemented within one year and that the permit is valid as long as that use exists on the property.

Responding to questions from Commissioners Maxwell and Davila, Ms. Fulgham stated that the membership of the Local Spiritual Assembly of the Baha'is of Bryan has decreased, so they will no longer hold worship services at this site. She said that they want to keep the property, so it will be leased to a professional office user. She also stated that the building cannot be used for both an office and as a place of worship.

Responding to a question from Commissioner Beckendorf, Ms. Fulgham stated that the current maximum for professional office use is 3 employees.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Maxwell moved to approve CU08-09, subject to the conditions as recommended by staff, and to adopt staff's written analysis and recommendation, as presented to the Planning & Zoning Commission, together with all attached plans, as the written findings and written special conditions required under section 130-33 of the Bryan Code of Ordinances. Commissioner Jones seconded the motion.

Vice-Chairperson Parks asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

8. ADJOURN

Without objection, Chairperson Clark adjourned the meeting at 6:24 p.m.

These minutes were reviewed and approved by the City of Bryan Planning & Zoning Commission on the 23rd day of **October, 2008**.

John R. Clark, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, Planning Administrator
and Secretary to the Planning and Zoning
Commission